

MINUTES OF THE  
CONROE CITY COUNCIL

APRIL 11 & 12, 2018

CALL TO ORDER  
CALL OF ROLL

PRESENT: Mayor Powell  
Mayor Pro Tem Coon  
Council Members Gibson, Martin, Ham, and Snider  
City Administrator Paul Virgadamo  
City Attorney Marcus Winberry  
Assistant City Secretary Sami H. Quinlan

ABSENT: City Secretary Soco M. Gorjón

After a roll call by the Assistant City Secretary establishing a quorum was present, the workshop meeting was called to order at 2:00 p.m. by Mayor Powell.

The meeting agenda, which was posted in accordance with the Texas Government Code, Chapter 551, was presented.


Agenda folders containing data relating to agenda items had been furnished to Council Members prior to the meeting of the Council.

Agenda items were considered by the Council. The action taken concerning such item is shown on the official Council Action Sheet attached hereto and made a part of these Minutes.

After all business properly brought before the Council had been considered, City Council adjourned.

  
Toby Powell, Mayor

ATTEST:

  
Sami H. Quinlan, Assistant City Secretary

## OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

Mayor Powell recognized Police Officer Morris for his 4 years of service.

### PUBLIC HEARING – CODE OF ORDINANCES CHAPTER 98 - TELECOMMUNICATIONS

Community Development Director Nancy Mikeska presented a brief summary to Council concerning the waiver to the Code of Ordinances Chapter 98 - Telecommunications Towers, to allow placement of a tower in an area considered more than 50% residential, located at 103 Longview Street Conroe TX.

At 2:04 p.m., Mayor Powell recessed the Open Meeting in order to conduct a Public Hearing on a waiver to the Code of Ordinances Chapter 98 - Telecommunications Towers.

Mayor Pro Tem Coon inquired about the percentage of residential in the area and Ms. Mikeska responded it was 34% commercial and 66% residential. Mayor Pro Tem Coon stated he was not in support of this item.

After receiving no additional comments from those present, Mayor Powell closed the Public Hearing at 2:07 p.m.

### CIP UPDATE

This item was deferred.

### TRANSIT VEHICLES – CIDC FUNDS

Director of Capital Projects/Transportation Tommy Woolley presented Council the proposed purchase of two (2) transit vehicles using funding from Conroe Industrial Development Corporation in the amount of \$240,000.

### ACCESS / FIRE APPARATUS ACCESS ROAD EASEMENT – THE WOODS OF CONROE SUB.

Director of Capital Projects/Transportation Tommy Woolley referred this item to Engineering Manager Chris Bogert. Mr. Bogert presented Council the proposed request to release two Access Easements and one Fire Apparatus Access Road Easement in The Woods of Conroe Subdivision Sections 2 and 3. Mr. Bogert recommended approval since the three easements will become obsolete when the streets are dedicated to the public by the recorded plat of The Woods of Conroe Section 3. Councilman Gibson inquired about releasing these before Section 3 was complete to which Mr. Bogert confirmed they would not be released before the completion of Section 3.

### PUBLIC HEARING - RELEASE OF ACCESS EASEMENTS – THE WOODS OF CONROE SUB.

At 2:09 p.m., Mayor Powell recessed the Open Meeting in order to conduct a Public Hearing on the request to release two Access Easements and one Fire Apparatus Access Road Easement in The Woods of Conroe Subdivision Sections 2 and 3.

After receiving no comments from those present, Mayor Powell closed the Public Hearing at 2:10 p.m.

### UTILITY EASEMENT IN BLOCK 2 OF SHADY GROVE ADDITION

Engineering Manager Chris Bogert presented Council the proposed release of a 20 ft. Utility Easement in Block 2 of Shady Grove Addition. Mr. Bogert recommended approval since it was not needed by the City or the utility companies.

### PUBLIC HEARING – RELEASE S 20-FT. EASEMENT IN SHADY GROVE ADDITION

At 2:11 p.m., Mayor Powell recessed the Open Meeting in order to conduct a Public Hearing on the request to release a 20 ft. Utility Easement in Block 2 of Shady Grove Addition.

After receiving no comments from those present, Mayor Powell closed the Public Hearing at 2:11 p.m.

## **PROFESSIONAL DESIGN SERVICES CONTRACT WITH BGE**

Director of Capital Projects/Transportation Tommy Woolley presented Council the proposed professional design services contract with BGE to abandon lift stations in the amount of \$87,250. Staff recommended approval.

## **CHANGE ORDER – POSTAGE BUDGET**

Human Resources Director Andre Houser asked Council the proposed Change Order to the postage budget for an additional \$23,000 for increased mailings; including Election mail outs and publications.

## **VARIANCE REQUEST- SPEAR POINT ENGINEERING – SUMMERWOOD SUBDIVISION**

This item was deferred.

## **AV EQUIPMENT -EOC**

Fire Chief Ken Kreger presented Council the proposed Budget Amendment not to exceed \$200,000 to replace/update the AV equipment in the EOC. Chief Kreger stated this was needed to prepare for hurricane season and for the other departments that use this room frequently. Mayor Pro Tem Coon inquired about what happened to the current equipment. IT Manager Pam Cobb addressed Council, and explained the system was 6-7 years old and had to be re-booted 3 times for each event. Mayor Pro Tem Coon inquired if this should be planned for in 6-7 years. Mrs. Cobb affirmed it should be planned for and revisited. Councilman Martin inquired about the monitor replacement and Chief Kreger affirmed they need replacement since they are unable to read. Mayor Pro Tem Coon inquired about the purchase timeline and Mrs. Cobb replied they would be purchased before the end of the budget year and hurricane season.

## **INTERNAL AUDIT UPDATE**

Internal Auditor Sherrie Mattson presented Council the Internal Audit update for their review and consideration. Ms. Mattson reported; the payroll timekeeping system was in test mode and May was the goal for completion, accounts payable electronic documentation had been successfully completed, Utility Billing had corrected the electronic problem with the fees posting to revenue from the Kiosk outside of the building, and the Citation Revenue issue was waiting for review from management.

Mayor Pro Tem Coon inquired about late fees on citation revenues and the timeline to follow up on this item. He stated Council needed to be involved in the scope of work. Councilman Gibson inquired about late charges not collected. Ms. Mattson replied that an Ordinance was changed in April 2012 and she noticed in August 2017 that fees were not matching. She reported that this had been happening for 5 years. She also explained that the Downtown Manager had submitted this Ordinance request to Council and it was not communicated to the department after approval. Councilman Martin requested that City Administrator Paul Virgadamo address this issue and ensure that departments receive communication on Council items that are approved. Mayor Pro Tem Coon thanked Ms. Mattson for her help in identifying this issue. Councilman Martin inquired about the penalty for warnings and tickets unpaid or ignored. Ms. Mattson stated a warrant was issued for the original citation and a new citation issued for failure to appear before court. Police Chief Jeff Christy stated that two Bailiffs handle the warrants for Municipal Court. Councilman Martin stated that citizens that ignore warrants and don't pay tickets should have consequences of jail. Councilman Ham requested a report of outstanding warrants and Assistant City Administrator/CFO Steve Williams stated he will have Municipal Courts prepare a report.

## **HOTEL AUDIT REPORT**

Internal Auditor Sherrie Mattson presented Council the successful Hotel Audit Report. Ms. Mattson requested this audit to be placed in the budget to be able to look at 6 more hotels next year.

## **NIMBLE HARDWARE – CITY HALL EQUIPMENT FROM KUDEISKI**

Assistant City Administrator/CFO Steve Williams referred this item to IT Manager Pam Cobb. Mrs. Cobb addressed and informed Council of the aging equipment in City Hall. Mrs. Cobb stated this was a budgeted item with state contract pricing. She pointed out that Nimble hardware would replace the existing equipment from Kudelski in the amount of \$57,879.80.

## **NOTICE OF GENERAL ELECTION**

Assistant City Secretary Sami Quinlan presented Council the proposed Ordinance of Notice for the May 5, 2018 Election and informed Council of the Early Voting and Election day Voting locations and times.

## **DONATION OF PATROL VEHICLES TO PRECINCT 2**

City Administrator Paul Virgadamo presented Council the recommendation to donate two used patrol vehicles to Precinct 2, Gene DeForest' office. Mayor Pro Tem Coon recommended the City receive something in return to our citizens; such as security services or help with our warrant situation. Councilman Ham would like to send the message that we are willing to help Precinct 2. Mayor Powell suggested traffic control from Pct. 2. Police Chief Christy stated they cooperated well with the City. Councilman Gibson had issues moving forward without an agreement. Mayor Pro Tem Coon inquired about a recommendation from our staff and Assistant City Administrator/CFO Steve Williams stated his recommendation was to continue with our process in place that included auctioning vehicles.

At 2:53 p.m., Mayor Powell along with Council, City Administrator Paul Virgadamo, City Attorney Marcus Winberry, and Asst. City Secretary Sami H. Quinlan, recessed into a Closed Executive Session Chapter 551.071, .072, .074 for the following purpose:

- Performance Evaluation of the City Administrator
- Discuss acquisition of real property
- SJRA GRP Contract litigation
- Litigation with Lone Star Groundwater Conservation on District Rules
- TCEQ Dockets 2018-0204-DIS & 2018-0205-DIS related to proposed MUDs 100 & 101

The Closed Executive Session was recessed at 4:53 pm.

## **BRIEFING**

None

## **COUNCIL MEMBERS INQUIRY TIME**

None

There being no further business brought before the Council, the meeting was recessed until tomorrow at 6:00 p.m.

**RECONVENE**

**THURSDAY, APRIL 12, 2018 – 6:00 P.M.**

**OFFICIAL ACTION OF THE CONROE CITY COUNCIL**

**CALL TO ORDER  
CALL OF ROLL**

**PRESENT:** Mayor Powell  
Council Members Gibson, Martin, Ham and Snider  
City Administrator Paul Virgadamo  
City Attorney Marcus Winberry  
City Secretary Soco M. Gorjón

**ABSENT:** Mayor Pro Tem Coon

**INVOCATION/PLEDGE:** Pastor Jeff Williams with Eagles Nest Ministry

Mayor Powell recognized Police Officer Andy Garza for his two years of service.

**RECOGNITIONS:** Parks and Recreation Director Mike Riggins and Recreation Programs Coordinator Javier Pena presented an award to Stoya Laydevant for being selected as the Texas Amateur Athletic Federation Female Athlete of the Year on February 8, 2018.

**CITIZEN INQUIRY**

John Nicks addressed Council concerning the parking situation in the downtown area, which he stated it was very difficult to park. He asked Council to support “to-go parking spaces” for the downtown restaurants.

**CHAPTER 98 – TELECOMMUNICATIONS TOWERS – 103 LONGVIEW STREET**

Councilman Ham made a motion to approve the proposed waiver to the Code of Ordinances Chapter 98 – Telecommunications Towers; to allow placement of a tower located at 103 Longview Street, Conroe, Texas as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

**ACCESS / FIRE APPARATUS ACCESS ROAD EASEMENTS – THE WOODS OF CONROE SUB.**

Councilman Ham made a motion to approve the request to release two Access Easements and one Fire Apparatus Access Road Easement in The Woods of Conroe Subdivision, Sections 2 and 3 as presented. Councilman Snider seconded the motion. Motion carried unanimously.

**UTILITY EASEMENT – BLOCK 2 OF SHADY GROVE ADDITION**

Councilman Martin made a motion to approve the request to release a 20-ft. Utility Easement in Block 2 of Shady Grove Addition as presented. Councilman Ham seconded the motion. Motion carried unanimously.

**SUMMERWOOD**

This item was deferred.

**NOTICE OF THE MAY 5, 2018 GENERAL ELECTION**

Councilman Ham made a motion to approve the Notice for the May 5, 2018 General Election as presented. Councilman Martin seconded the motion. Motion carried unanimously.

## PATROL VEHICLES

Councilman Ham made a motion to defer the donation of the two used patrol vehicles to Precinct 2 as presented. Councilman Martin seconded the motion to defer. This item was deferred.

## CREATION OF MUD 100 & 101

This item was deferred.

## CONSENT AGENDA

A motion was made by Councilman Gibson, seconded by Councilman Ham to approve the Consent Agenda, Items 8 through 18 as presented. The motion carried unanimously.

- Approve purchase of two (2) transit vehicles using funding from Conroe Industrial Development Corporation in the amount of \$240,000.
- Approve professional design services contract to abandon lift stations to BGE in the amount of \$87,250.
- Approve Change Order request to postage budget in the amount of \$23,000.
- Approve update to AV equipment in the EOC not to exceed \$200,000.
- Approve Mayor to sign bill of sale conveying retired police dog to his handler Jeremy Whatley.
- Approve Internal Audit update.
- Approve Hotel Audit Report.
- Approve purchase of Nimble hardware to replace the existing City Hall equipment from Kudelski in the amount of \$57,879.80.
- Approve Ordinance amending Code of Ordinances Section 46-3 prohibiting the discharge of a firearm in the corporate limits to establish exceptions conforming to the requirements of state law.
- Approve Commission and Board Meeting absences:
  - 3/1/18 – Chris Caywood
- Payment of Statements :

• San Jacinto River Authority/ GRP Division	Inv. Surface Water Fee payment	\$ 669,342.15
• Christensen Building Group	Inv. No. 14 Fire Station 7	\$ 107,763.92
• Lockwood, Andrews & Newman Inc.	Inv. No 41 – New WWTP Project Phase IV	\$ 134,447.40
• LEM Construction Co.	Inv. No 9 2014-17 Windsor Lakes Liftstation Project	\$ 470,990.96
• Third Coast Services LLC	Inv. 7 Traffic Signal Installation South Loop 336 & 1-45	\$ 148,793.97
• Triple B Services LLP	Inv. 11 MP Clark Roadway Construction	\$ 222,239.35
• Cartegraph	Inv. SIN004354 Annual Subscription	\$ 59,206.97
• Buckalew Chevrolet	Inv. T181264/76/70 2018 Chev. Tahoe Patrol Vehicles	\$ 101,994.00
• Wharton Smith, Inc.	Inv. 4 Southwest WWTP Plant Flood Restoration & Rprs	\$ 1,414,148.05

There being no further business to consider, a motion was made by Councilman Martin, seconded by Councilman Ham to adjourn the meeting.